

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

U.S. EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION,

Plaintiff,

and

UMME-HANI KHAN,

Plaintiff-Intervenor,

vs.

ABERCROMBIE & FITCH STORES, INC.  
d/b/a HOLLISTER CO., HOLLISTER CO.  
CALIFORNIA, LLC,

Defendants.

Case No.: 11-cv-03162-YGR

**ORDER REGARDING JOINT DISCOVERY  
LETTER BRIEF (DKT. NO. 57)**

The Court has reviewed the Joint Discovery Letter Brief regarding Plaintiff-Intervenor's Requests for Production. (Dkt. No. 57.) At issue are four requests for production, which seek documents: (i) relating "to all employee requests, made in any of respondent's stores, to deviate from the Look Policy" (Request No. 20); (ii) all documents that "reflect or otherwise relate to Hollister's consideration and/or disposition of the requests" (Request No. 21); (iii) all documents that "reflect or otherwise relate to all employee requests, made in any Hollister store, for accommodation of religious attire" (Request No. 22); and (iv) documents relating to "Hollister's consideration and/or disposition of the requests for accommodation of religious attire" (Request No. 23). According to the parties, the

1 only remaining issue with regard to these requests “relates to records from January 3, 2011 to the  
2 present regarding requests to deviate from the Look Policy unrelated to head scarves.”

3 Having reviewed the letter brief and the positions of the parties, the Court **DENIES** Plaintiff-  
4 Intervenor’s requests. Plaintiff-Intervenor and Plaintiff have failed to establish that the records at  
5 issue are likely to lead to the discovery of admissible evidence with respect to Plaintiff’s disparate  
6 treatment claims. The requests are overly broad to the extent that they seek documents relating to *any*  
7 request to deviate from the policy unrelated to head scarves. The requests are also overly broad as to  
8 time, to the extent that they seek documents that post-date Plaintiff’s termination date by anywhere  
9 from nine to thirty months.

10 This Order terminates Dkt. No. 57.

11 **IT IS SO ORDERED.**

12 Dated: October 25, 2012

13   
14 **YVONNE GONZALEZ ROGERS**  
15 **UNITED STATES DISTRICT COURT JUDGE**

United States District Court

Northern District of California